

**Questions and Answers
Concerning
Chemical Analytical Services
Multi-Media - Multi-Concentration Inorganics
Solicitation: PR-HQ-02-10028**

Date Revised: February 27, 2002

Note: The question and answer period has ended. No more questions will be accepted or answered.

Question Number & Date Posted	Subject, Question, and Answer (Q & A)
<p style="text-align: center;">1 (02/01/02)</p>	<p>Subject: Using PE Results From the Cancelled Solicitation</p> <p>(Q) Will the laboratories that submitted PE results and passed them on the last solicitation, i.e., the one cancelled October 30, 2001 be required to analyze and report additional ICP-AES and ICP-MS samples under the new solicitation as well?</p> <p>(A) All labs will be required to analyze PA-PES's under the new solicitation.</p>
<p style="text-align: center;">2 (02/01/02)</p>	<p>Subject: Requirements for Both ICP-AES and ICP-MS during Pre-Award Performance Evaluation of Samples</p> <p>(Q) Will laboratories be required to have both an ICP-AES and an ICP-MS?</p> <p>(A) Bidders will not be required to have both an ICP-AES and ICP-MS. However, bidders are required to have the appropriate equipment onsite to perform the PES analysis.</p>
<p style="text-align: center;">3 (02/01/02)</p>	<p>Subject: Software Providers</p> <p>(Q) Is there already a list of approved equipment and software providers?</p> <p>(A) EPA does not approve vendors. However, there is a list of software vendors on the CLP website.</p>
<p style="text-align: center;">4 (02/01/02)</p>	<p>Subject: Prohibition on Place of Performance (Geographical Locations)</p> <p>(Q) Are there any restrictions on place of performance - will certain companies be prohibited from competing for awards because of their geographical locations?</p> <p>(A) There are no geographical restrictions listed in the IFB.</p>

<p>5 (02/01/02)</p>	<p>Subject: Current Awards</p> <p>(Q) Who are the contractors that won the current awards for these services and what are the contract numbers?</p> <p>(A) The following CLP website contains contract numbers and the name of the contractors who received awards under the current contracts: http://www.epa.gov/superfund/programs/clp/download/lablist.pdf</p>
<p>6 (02/01/02)</p>	<p>Subject: Charge for Performance Evaluation Samples</p> <p>(Q) Will there be a charge associated with obtaining the Performance Evaluation Samples (PES) from the EPA?</p> <p>(A) There is no charge associated with obtaining a PES from the EPA. However, the contractor's laboratory is responsible for all costs associated with analyzing the PES, and the contractor will not be reimbursed by the EPA.</p>
<p>7 (02/01/02)</p>	<p>Subject: Submission of PES Results</p> <p>(Q) The results of the PES are due 14 days after receipt from EPA. Does this mean that these results will be submitted separately from the IFB results?</p> <p>(A) Yes</p>
<p>8 (02/01/02)</p>	<p>Subject: Bidding</p> <p>(Q) Will bidders be required to bid on every line item/method solicited?</p> <p>(A) Each bidder may bid on either ICP-AES or ICP-MS, or both. If a bidder chooses to bid on any of the line items for these two methods, the bidder must bid on all of the turn around times associated with that method. This requirement is clearly stated in Section (B) of the IFB.</p>
<p>9 (02/01/02)</p>	<p>Subject: Restrictions on Teaming Arrangements and Strategic Alliances</p> <p>(Q) As a small business company, I am forming a strategic alliance with a well-established lab which has extensive experience with EPA analytical methodology.</p> <p>Could I submit a bid for this contract and have the work done by the certified lab? This would include past performance evaluation and pre-award performance evaluation.</p> <p>(A) Teaming arrangements such as strategic alliances are prohibited, unless the arrangement or alliance resulted in a merger of the parties into a sole company.</p>

<p>10 (02/01/02)</p>	<p>Subject: CRQL's Limits</p> <p>(Q) Have the CRQL's limits been decided?</p> <p>(A) The CRQL's limits have not been changed from what is cited in ILM05.1. They will remain the same in ILM05.2.</p>
<p>11 (02/01/02)</p>	<p>Subject: ICS Analysis</p> <p>(Q) I have a question regarding the ICS analysis under ILM05.2. I analyze Na and K on my ARL Accuris 101 and the other 20 ICP metals on my TJA Trace because of the greater linear range. For my Accuris, I do not have any interference for Na or K from any of the major interferences (i.e. Ca, Fe, Mg, Al) nor from any other TAL elements. Do I have to analyze ICSA and ICSAB for all TAL elements, or just for the major interferences and Na and K? I report only Na and K results from this instrument.</p> <p>(A) Exhibit D, ICP-AES, Section 12.5.2. To verify interelement and background correction factors, the Contractor shall analyze and report the results for the ICS, for all elements on the Target Analyte List (TAL) and for all interferences (target and non-target), at the beginning and end of each analysis run, but not before the ICV.</p>
<p>12 (02/01/02)</p>	<p>Subject: Resolution Routine for HP-4500</p> <p>(Q) Our HP-4500 IP tuning routine for resolution and mass axis uses Li, Y, and Tl as the elements and specifies achieving a peak width of 0.65-0.8 AMU at 10% peak height for normal operation. The tune report only gives the peak widths at 50% and 10% peak heights. Will this be suitable to meet the specifications of paragraph 2 of section 9.2.1 of the ICP/MS procedure in ILM05.2?</p> <p>(A) A peak width of 0.65-0.8 AMU at 10% will be acceptable for the tune standard in ILM05.2 (Exhibit D, ICP-MS Sections, 9.2.2 and 12.1).</p>

<p>13 (02/01/02)</p>	<p>Subject: Use of a Reduced Sample Volume for the Digestion of ICP-MS Samples so that a 50 ml Block Digester can be Employed for the New SOW?</p> <p>(Q) In the new SOW, the HW2 preparation procedure for ICP-MS specifies digestion of 100 mL sample aliquots (Exhibit D-18/ICP-MS, section 10.1.3.2) although the prep method for ICP-AES allows 50 to 100 mL of sample to be used for digestion (Exhibit D-16/ICP-AES, section 10.1.3.1). EPA Method 200.8 (Rev. 5.5, section 11.2.2) from which the CLP digestion procedure is derived states that "when necessary, smaller sample volumes may be used." Will EPA accept use of a reduced sample volume for the digestion of ICP-MS samples so that a 50 ml block digester can be employed for the new SOW? Use of smaller sample volumes for this digestion procedure will also facilitate EPA's recommendations for waste management/minimization.</p> <p>(A) Exhibit D, ICP-MS, Section 10.1.3.2 specifies a sample volume of 100 mL aliquot of sample. Reduced volumes are not permitted at this time.</p>
<p>14 (02/01/02)</p>	<p>Subject: Raising the ICP-MS CRQL for Analytes with a Specified CRQL of 1 ug/L</p> <p>(Q) Previous experience with certain ICP-MS analytes has shown an inability to obtain MDLs which are less than ½ of the specified CRQLs while still meeting the EPA's requirements for a valid MDL (calculated MDL < test concentration < 10X MDL). For example, an analyte with a CRQL of 1 ug/L must have an MDL < 0.5 ug/L. The test concentration used to obtain the MDL must be less than 5 ug/L. DataChem has been unable to obtain an MDL less than 0.5 ug/L for analytes with a specified CRQL of 1 ug/L using a test concentration less than or equal to 5 ug/L. The SOW states in Exhibit C, page C-5, that "changes to the Inorganic Target Analyte List or CRQLS may be required under the flexibility clause in the contract." Is there any possibility of raising the ICP-MS CRQL for analytes with a specified CRQL of 1 ug/L?</p> <p>(A) The CRQLs identified in Exhibit C were verified as being obtainable through an independent study and CLP historical data. No CRQL change is anticipated at this time.</p>

<p>15 (02/01/02)</p>	<p>Subject: EPA Providing ICV, ICSA, and ICSAB Solutions for ICP-AES and ICP-MS</p> <p>(Q) Will IC, ICA, and ICSAB solutions for ICP-AES and ICP-MS be provided by the EPA for this SOW? If so, are these solutions presently available?</p> <p>(A) Quality Control samples (ICA, ICSAB, etc.) will be provided with the distribution of the Pre-Award performance evaluation samples.</p>
<p>16 (02/01/02)</p>	<p>Subject: Re-analysis of the Failed CRI Samples</p> <p>(Q) For analyses by ICP-AES and ICP-MS, allowance is made for re-analysis of the CRI for analytes that do not pass acceptance criteria. If the re-analyzed CRI also counts as an analytical sample (as does the first CRI), the number of field samples able to be analyzed between successive ICS and CCV/CCB pairs will be reduced in order to accommodate the second analysis of the CRI for failed analytes. Does the re-analysis of the CRI for failed analytes count as an analytical sample with respect to the frequency requirements for running the ICS and CCV/CCB pairs?</p> <p>(A) Yes, the re-analysis of the failed CRI samples count as an analytical sample with respect to the frequency requirements for running the ICS and CCV/CCB pairs.</p>
<p>17 (02/01/02)</p>	<p>Subject: Midi-distillation Procedure for Cyanide</p> <p>(Q) EPA Method 9012 for the analysis of cyanide provides for the addition of sulfamic acid during the distillation procedure in order to treat the samples for the potential presence of nitrate or nitrite. Will EPA allow the addition of 5 ml of 1:1 (volume: volume) sulfamic acid: reagent water during the Midi-distillation procedure for cyanide in the new SOW? The addition of sulfamic acid is proposed immediately prior to the addition of the sulfuric acid.</p> <p>(A) The addition of 5 mL of 1:1 sulfamic acid reagent water will not be permitted during the Midi-distillation procedure for cyanide at this time.</p>

<p>18 (02/01/02)</p>	<p>Subject: Conventional Distillation for Cyanide</p> <p>(Q) As per section 6.1 and 6.2 of the SOW, the following is outlined:</p> <ol style="list-style-type: none"> 1. Conventional distillation (6.1.1) for cyanide should be followed by spectrophotometry (6.1.2) and 2. Midi-distillation (6.2.1) to be used with auto analyzer system (6.2.3). <p>Will midi-distillation and manual photospectrometry for cyanide determination be permitted under the ILM05.2?</p> <p>(A) Yes, midi-distillation (Exhibit D, Cyanide, Section 10.2.3) and manual photospectrometry (Exhibit D, Cyanide, Section 10.3) are permitted within ILM05.2.</p>
<p>19 (02/01/02)</p>	<p>Subject: Analyzing All Target Analytes</p> <p>(Q) I'm still trying to eliminate having to analyze all target analytes except for K,Na plus the interferences on my ARL Accuris 101. I refer you to section 2.5.2.2 of Section B which states:</p> <p>When analysis of the ICP-AES or ICP-MS target analytes listed in Exhibit C of this SOW (or any subset or additional analytes) is requested, the raw data shall include, for all samples, not only the results for the requested analyte(s), but also those for all the interferences (Exhibit D/ICP-AES, Table 1, or Exhibit D/ICP-MS, Section 7.2.4.4.1, as appropriate). The raw data shall also contain the results of any other analyte(s) which have been determined to interfere with the requested analytes(s).</p> <p>Since the only requested analytes that I am running on the Accuris are Na and K, wouldn't it be OK for me to only analyze these two elements along with the Interferences for the ICS solutions? Because of the higher method detection limits of the Accuris, I wouldn't be able to meet the control limits for several TAL metals on the ICA solution (e.g. Arsenic: +/- 2x CRQL= 0.030 mg/L and my MDL=0.1304 mg/L).</p> <p>(A) The SOW requirements in Exhibit D, ICP-AES, Section 12.5.2. stipulates "the Contractor shall analyze and report the results for the ICS, for all elements on the Target Analyte List (TAL) and for all interferences (target and non-target)."</p>

<p>20 (02/01/02)</p>	<p>Subject: List of Interested Parties</p> <p>(Q) Will you post a list of interested laboratories which requested PES prior to the advertised deadline?</p> <p>(A) No, EPA does not plan on posting such a list.</p>
<p>21 (02/01/02)</p>	<p>Subject: Using Documentation Previously Submitted Under ILM05.1</p> <p>(Q) Whatever documentation could be used from the ILM05.1 solicitation (SOPs, QAPs, client letters, etc.) Would be very beneficial to the labs that responded.</p> <p>(A) If a Quality Assurance management plan was submitted under the most recently [cancelled] solicitation PR-HQ-01-14093, and no changes have been made to the offeror's QA plan, a statement may be submitted with the bidder's technical proposal stating that the previously submitted Quality Assurance management plan is still valid and represents the offeror's plan under this solicitation PR-HQ-02-10028.</p>
<p>22 (2/8/02)</p>	<p>Subject: Changes Made to the SOW</p> <p>(Q) We just downloaded the RFB on the EPA site for CLP ILM05.2. Have any changes been made to the SOW, the Inorganic forms, or the DC-1 and DC-2? The posted date on the site is 2/1/02. However, the SOW still has December 2001 on its cover page.</p> <p>(A) The ILM05.2 SOW posted on the website is the first version. No other ILM05.2 versions have been posted. A summary of changes is provided on the website from the previous ILM05.1 to the current ILM05.2.</p>

<p>23 (2/8/02)</p>	<p>Subject: Interference Check Solutions for ICP-MS (ICS Part A [1200] and Part B [1200]) for the ILM05.2 Pre-award Samples</p> <p>(Q) Will the EPA be providing the same interference check solutions for ICP-MS (ICS Part A [1200] and Part B [1200]) for the ILM05.2 pre-award samples as those supplied for use with the ILM05.1 pre-award samples? Experience with the interference check solutions provided for the ILM05.1 pre-award samples indicates that the ICS Part A (1200) solution is contaminated with several analytes, at levels which exceed the control limit of +/- 3X the CRQL. Affected analytes include chromium, lead, manganese, copper, zinc, and possibly nickel. If the EPA provides the same ICA and ICSAB solutions, will laboratories be permitted to utilize interference check solutions prepared at the required concentrations which have been obtained from an independent vendor?</p> <p>(A) Response: EPA will provide QC samples (IC, LCS, ICA and ICSAB) with the PES shipment.</p> <p>Laboratories are required to analyze the EPA provided ICA and ICSAB solutions, no independent sources will be permitted during the solicitation.</p>
<p>24 (2/8/02)</p>	<p>Subject: IFB Section L - Copies of the Bid</p> <p>(Q) SF33 requests an original plus 2 copies of the bid. Section L.2, paragraph 7 requires 3 copies. Please clarify.</p> <p>Effective immediately, the following changes are made to Section L.2, paragraph 7 of the IFB and will be issued in an upcoming amendment that will be posted to our website at: http://www.epa.gov/oam/srpod. Bidders take immediate action</p> <p>(A) At the time of bid submittal, bidders will be required to submit the following: Completed Section B.2(original plus 2 copies required), Completed Section F.8 (original plus 2 copies required), Completed Section K (original plus 2 copies required). The requirement for bidders to submit the "Past Performance Client Letter and Questionnaire (Attachment 19)" to the Contracting Officer)has been changed to state the following: At the time of bid submittal, bidders shall submit to the Contracting Officer one copy of a list containing the names, phone numbers, and company addresses of the individuals to whom the Past Performance Client Questionnaires (Attachment 19) were sent. All other information in the above stated section and paragraph remain unchanged.</p>

<p>25 (2/8/02)</p>	<p>Subject: Section L - List of Information that Bidders Must Submit</p> <p>(Q) Section L.2 paragraph 7 includes a list of information that the bidder must submit "to the Contracting Officer at the time of the bid submittal." However, The Past Performance Client Letter and Questionnaire are supposed to be submitted to the client. Please clarify what you want.</p> <p>(A) Effective immediately, the following changes are made to Attachment 19 of the IFB and will be issued in an upcoming amendment that will be posted to our website at: http://www.epa.gov/oam/srpod. Bidders take immediate action: The bidder will complete the Client letter and the top portion of the Past Performance Questionnaire and forward to the client. The bidder shall request that the client's Program Manager or other corporate representative complete and return the questionnaire within five (5) days after the bid due date for this solicitation. All other information in the above stated Attachment remain unchanged.</p>
<p>26 (2/8/02)</p>	<p>Subject: Conventional Distillation for Cyanide</p> <p>(Q) As per section 6.1 and 6.2 of the SOW, the following is outlined:</p> <p>a. Conventional distillation (6.1.1) for cyanide should be followed by spectrophotometry (6.1.2) and</p> <p>b. Midi-distillation (6.2.1) to be used with auto analyzer system (6.2.3).</p> <p>Can midi-distillation be followed by manual photospectrometry for cyanide determination?</p> <p>(A) Refer to question 18 posted February 1, 2002.</p>
<p>27 (2/8/02)</p>	<p>Subject: Increases to the Lead and Zinc CRQLs</p> <p>(Q) Can we request increases to the Lead and Zinc CRQLs according to Exhibit C?</p> <p>(A) Refer to question #14 posted February 1, 2002.</p>

<p>28 (2/8/02)</p>	<p>Subject: Explain Exhibit B, Page B-16</p> <p>(Q) Please explain the examples the statement on Exhibit B page B-16 that read as follows:</p> <p>The EPA sample number shall be unique for each IC, ICB, CCV, CCB, ICA, ICSAB, CRI, LCSW, LCSS, PBW, PBS, LRS, BASELINE, RESLOPE, MIDRANGE, and TUNE within an analysis or preparation method, within an SDG. The contractor shall achieve this by replacing the two-character terminator (##) of the identifier with one or two characters, numbers or a combination of both.</p> <p>(A) The statement above refers to Exhibit B, Section 2.5.2.3.5, Table 2, Codes for Labeling Data. For example, a unique sample number for an IC may be ICV01 or ICVam.</p>
<p>29 (2/8/02)</p>	<p>Subject: Exhibit B, Page B-24 - Qualifying the Post-Digestion Sample</p> <p>(Q) I don't understand clearly the following statement from Exhibit B, page B-24:</p> <p>Serial dilution and post-digestion spike shall be qualified using the MDL and CRQL values utilized for the corresponding field sample.</p> <p>My question is: Do we need to qualify the post digestion sample after calculations or before? If qualify after calculation, do I need to apply the post digestion factor to the MDL and CRQL in order to compare apples with apples?</p> <p>(A) While serial dilutions and post-digestion spike results are always reported in ug/L, the MDL and CRQL values for the corresponding field sample will be in ug/L (water matrix) or mg/kg (soil matrix).</p> <p>To determine the appropriate concentration qualifier for results in soil serial dilution and post-digestion spike samples, the sample result (in ug/L), the MDL (in mg/kg), and the CRQL (in mg/kg) need to be in the same units. There are no specific requirements as to which way this conversion is to be performed (all 3 values in ug/L vs. all in mg/kg). Assignment of the qualifier is performed prior to adjusting for any dilution factor.</p>
<p>30 (2/8/02)</p>	<p>Subject: Sample Prep of Mercury Analyses</p> <p>(Q) Can block digesters be used for sample prep of mercury analyses under ILM05.2?</p> <p>(A) Block digesters are not permitted for mercury in ILM05.2 at this time.</p>

31
(2/8/02)

Subject: ICS Instructions

(Q) The answer to question 15 stated that ICA and ICSAB solutions will be distributed with the PE samples. Previous ICA solutions sent with PE samples had dashes (-) associated with the concentrations of the most of the TAL elements. Are the true values of these elements 0, or should the procedure stated in section 12.6.6 be implemented. Section 12.6.6 states:

If true values for analytes contained in the ICS are not supplied with the solutions, the mean shall be determined by initially analyzing the ICS at least five times repetitively for the particular analytes. This mean determination shall be made during an analytical run where the results for a previously supplied ICS met all contract specifications. Additionally, the results of this initial mean determination shall be used as the true value for the lifetime of that solution (i.e., until the solution is exhausted). Only if the ICS solutions are not available from USEPA, independent Check Samples shall be prepared with interferent and analyte concentrations at the levels specified in Sections 7.2.4.4.1 and 7.2.4.4.2. The mean value and standard deviation shall be established by initially analyzing the Check Samples at least five times repetitively for each analyte listed on Form IVB-IN. Results shall fall within the control limit of ± 3 times the CRQL of the established mean value or $\pm 20\%$ of the established mean value, whichever is greater. The mean and standard deviation shall be reported in the raw data. Results from analyses shall be reported on Form IVB-IN for all ICP-MS parameters.

(A) The procedure stated in section 12.6.6 should not be implemented during the Pre-Award. The pre-Award ICS instructions state "This instruction sheet provides the nominal values for the ICS_MS Part A and Part B target analytes when diluted as directed. However, "true values" have not been established for this ICS_MS solution set. **Accordingly, analysis results that are not within ± 2 times the CRQL or $\pm 20\%$ of the nominal value will be allowed for this pre award only.** Record the ICS results and % recovery on the ICS form, but no corrective action is required if you are certain that the results are accurate."

<p>32 (2/8/02)</p>	<p>Subject: Requirement to Analyze PE samples</p> <p>(Q) Since there were no substantive changes in the 5.2 Vs 5.1 Statement of Work that would affect the outcome of ICP-AES or ICP-MS, PE sample results! Why do laboratories that passed the PE's and certified that they had the necessary personnel and equipment in place to perform the PE's as required by solicitation PR-HQ-01-14093...be required to analyze PE's under solicitation PR-HQ-02-10028?</p> <p>(A) Refer to question #1 posted February 1, 2002.</p>
<p>33 (2/8/02)</p>	<p>Subject: Laboratories that did not Meet Personnel and Equipment Requirements Under Solicitation PR-HQ-01-14093</p> <p>(Q) Are the laboratories that passed the PE's under solicitation PR-HQ-01-14093 and did not meet the personnel and equipment certification requirements, going to be allowed to participate in Solicitation PR-HQ-02-10028?</p> <p>(A) Yes</p>
<p>34 (2/8/02)</p>	<p>Subject: Past Performance Client Letters/Questionnaires Submitted Under Solicitation PR-HQ-01-14093</p> <p>(Q) Are the Past Performance Client Letters/Questionnaire's submitted under Solicitation PR-HQ-01-14093 acceptable, or do we have to re-solicit our client to submit new letters for this solicitation?</p> <p>(A) New Past Performance Client Letters/Questionnaires are required.</p>
<p>35 2/14/02</p>	<p>Subject: Requirement to Perform MDL</p> <p>(Q) Is it required to perform the MDL studies, three separate times on non-consecutive days?</p> <p>(A) No, the MDL requirements are defined in 40 CFR Part 136 Appendix B. The MDL shall be completed in one day with "a minimum of seven aliquots of the sample to be used to calculate the method detection limit and process each through the entire analytical method. Make all computations according to the defined method with final results in the method reporting units."</p>

<p>36 2/14/02</p>	<p>Subject: Client's None Response to Request for Past Performance Information</p> <p>(Q) For all previous responses to CLP solicitations, we have included Past Performance Questionnaires as part of our bid response. This ensured us that all clients had responded accordingly and that our bid response was complete as requested. Since this has now changed and Questionnaires are to be sent directly to EPA, we assume that laboratories are not penalized if clients do not respond within the 5 day period, or at all. We also assume the list of clients (submitted by each lab) will assist EPA in contacting them if they do not respond. Please comment.</p> <p>(A) Yes, EPA will use the list of clients provided by the labs to contact the clients to determine if the labs contacted the clients and requested that the clients provide EPA with the past performance information. At the time that EPA contacts the labs to verify the labs compliance, EPA will attempt to obtain the past performance information from the client. If EPA determines that a lab did not comply with the requirement to request that the clients submit the past performance information to EPA, within the time period listed in the IFB, the lab will be found non-responsive.</p>
<p>37 2/14/02</p>	<p>Subject: ILM05.2 WebCCS</p> <p>(Q) When will WebCCS for ILM05.2 be available for processing data?</p> <p>(A) Currently, WebCCS is not available for ILM05.2.</p>
<p>38 2/14/02</p>	<p>Subject: Requirement to Retain Empty Sample Bottles</p> <p>(Q) On page A-7 of the SOW, paragraph 4.2.1.2.4 instructs, "The contractor is required to retain unused sample volume, used sample containers, and empty sample bottle containers for a period of 60 days after data submission." What is the purpose for retaining empty sample bottles? If it is to document traceability, can the laboratory keep an Empty Bottle Log containing the sample ID information or copy the label from the empty bottles?</p> <p>(A) The laboratory is required to adhere to bottle retention requirements stipulated in the contract. These requirements are for the purpose of maintaining defensible data.</p>

<p>39 2/14/02</p>	<p>Subject: Performing MDL Studies</p> <p>(Q) On page D-31/ICP-AES of the SOW, paragraph 12.10.1 states, "An MDL study shall be performed after major instrument maintenance, or changes in instrumentation or instrumental conditions to verify the current sensitivity of the analysis." The same requirement pertains to ICP-MS analyses (page D-27/ICP-MS, paragraph 12.12.1), mercury analyses (page D-23/Mercury, paragraph 12.8.1), and cyanide analyses (page D-28, paragraph 12.8.1). What are some specific examples of changes to instrumental conditions (for each analysis) that would trigger another MDL study?</p> <p>(A) In general, major instrument maintenance would involve the replacement of instrument hardware. For example, replacement of torches, load coils, vacuums, primary mirrors, and lenses.</p>
<p>40 2/14/02</p>	<p>Subject: Performance of Contract Required QC</p> <p>(Q) On page E-29 of the SOW, relating to QB samples, paragraph 11.2.3 includes the requirement, "All contract required QC shall be met, including spike and duplicate analyses." Does this requirement mean that all contract required QC shall be <u>performed</u>, including spike and duplicate analyses or does it mean that all QC <u>criteria</u> shall be met?</p> <p>(A) All contract required QC shall be performed and all QC criteria shall be met. Both are required under the SOW.</p>

<p>41 2/14/02</p>	<p>Subject: Individual Sample Containers Other than a Glass Jar or Glass Vial</p> <p>(Q) On page G-3 of 6 of the solicitation, Section G-4 deals with Government Furnished Samples. In that section, there is a discussion concerning "individual sample containers other than a glass jar or glass vial" that may be sent by the Government. The laboratory will be required to routinely return these special sample containers to the appropriate sampling office. Additionally, the laboratory "shall remove any remaining sample from the non-glass container and shall ensure that the sample container is clean."</p> <p>Do the "individual sample containers other than a glass jar or glass vial" pertain to all plastic containers submitted to the laboratory or to some other non-glass container?</p> <p>(A) Non-glass containers refer to all containers that are not "a glass jar or glass vial." Plastic jars are considered non-glass containers.</p>
<p>41a 2/14/02</p>	<p>Subject: Specific Instructions for Returning Samples</p> <p>(Q) Will there be specific instructions on the Sample Traffic Reports/Chain of Custody Records (or other documentation received with the samples) that the sample containers have to be returned?</p> <p>(A): Special instructions will be provided to the laboratory if containers are to be returned. This information may be provided to the laboratory on the TR/COC or other documentation.</p>
<p>41b 2/14/02</p>	<p>Subject: Returning the Non-glass Containers to Appropriate Sample Office</p> <p>(Q) If EPA coolers have to be returned within 14 days from sample receipt and the "individual sample containers other than a glass jar or glass vial" have to be returned within 60 days following submission of the reconciled CSF, how does the laboratory get the non-glass containers to the appropriate sampling office?</p> <p>(A) The appropriate shipping documentation will be provided to the laboratory for the return of non-glass containers.</p>

<p>41c 2/14/02</p>	<p>Subject: Instructions for Cleaning Sample Containers</p> <p>(Q) After removing any remaining sample, what constitutes a clean sample container? Will instructions for cleaning these non-glass containers be provided?</p> <p>(A) The laboratory shall ensure that the non-glass containers are visually clean.</p>
<p>42 2/14/02</p>	<p>Subject: Completing the Past Performance Questionnaire</p> <p>(Q) The section to be completed by the bidder requires a contract number, contract value, and type of contract as well as period of performance. If we haven't been awarded a contract, what do we submit in these areas?</p> <p>(A) If bidder did not perform work under a contract, for the client, the bidder shall briefly describe the arrangement or relationship that established the agreement, under which the bidder performed the services or provided the goods that the bidder is stating in the questionnaire.</p> <p>Example: We performed analytical services to test for arsenic in drinking water for "Company X." No written contract was established. "Company X" would request services on an as required basics. We have been performing these services for "Company X" for over 20 years. The total dollar value of all services perform for "Company X" is approximately (\$1,000,000).</p>
<p>43 2/14/02</p>	<p>Subject: Submitting the Past Performance Questionnaire</p> <p>(Q) According to page "L-3 of 10" of the IFB, we are required to submit 3 copies of the Past Performance Questionnaire with our bid package. According to the Past Performance Questionnaire cover letter, the client is to fax the completed questionnaire to you. Does this mean the client is supposed to submit the completed questionnaire to us as well?</p> <p>(A) As stated in the Past Performance Client Letter, included at Attachment 19 of the IFB, our requirement is that the client submit a completed copy of the questionnaire to EPA. It is the bidder's choice to have the client submit an additional copy to the bidder.</p> <p>Also see questions 24 and 25 dated 2/8/02.</p>
<p>44 2/14/02</p>	<p>Subject: Number of Completed Questionnaires Required</p> <p>(Q) How many completed questionnaires are required?</p> <p>(A) We only require one copy of the completed questionnaire.</p>

<p>45 2/27/02</p>	<p>Subject: EPA Sample Number</p> <p>(Q) B 2.5.2.3.5 footnote 3 says "The EPA sample number shall be unique...within an analysis or preparation method, within an SDG." Does this mean "within an analysis method or preparation method" or "within an analysis run or preparation method?" The former would be a problem with labeling the raw data, particularly if a run contains samples from more than one SDG and is combined with different runs for the different SDGs.</p> <p>(A) "The EPA sample number shall be unique...within an analysis or preparation method, within an SDG." means "within an analysis method or preparation method."</p>
<p>46 2/27/02</p>	<p>Subject: Analyzing and Reporting Results for the ICS</p> <p>(Q) I see from q&a.pdf that EPA posted on Friday that someone else had a problem with ICSEA/AB when a run was for only one or two elements. The answers just parroted the SOW and did not clarify it. If you read D ICP/AES 12.5.2 literally you will have to acquire all the target elements in each run. A reply we received from Dyncorp said in effect that only the interferences relevant to the elements analyzed in that run, plus Al, Ca, Fe, Mg, needed to be analyzed. This really needs a definitive clarification.</p> <p>(A) The Contractor shall analyze and report the results for the ICS, for all elements being reported <u>in the analytical run</u> and for all interferences (target and non-target) for these reported elements.</p>
<p>47 2/27/02</p>	<p>Subject: Including Prepared Standards on the Appropriate Form XII</p> <p>(Q) D-13/Cyanide 9.4.3: "This means that an ICV must be distilled with each batch of samples analyzed and that the samples distilled with an ICV must be analyzed with that particular ICV." Unlike the mercury case with methods CW1, CS1 and CW2, there are not separate methods specified for standards to be prepared by DW1, DS1, DW2, DS2. Can soil and water samples from a mixed SDG be run together with an ICV (and midrange standard) prepared by DW1 or DW2? If so, the ICV or midrange standard would not appear on form 12 or on the laboratory distillation log for method DS1 (or DS2). Is this acceptable?</p> <p>(A) Prepared standards, whether required per preparation batch (ICV) or preparation method (midrange standard), must appear on the appropriate Form XII for the preparation batch in which the standard was prepared.</p>

<p>48 2/27/02</p>	<p>Subject: Source Field on Form 2, 4 , and 7 and the Source Field in the Type 21 ASF Record</p> <p>(Q) What to do if the 12-character source field on form 2, 4 or 7 or the 9-character source field in the type 21 ASF record is not long enough (example: "EPA ICSA0801/AB0596")? Enter "SEE NOTE" and add a comment to a form that normally does not have comments?</p> <p>(A) The source may be truncated or abbreviated to fit the 12 character source field on the forms, however, it must still uniquely identify the source and the source name utilized must remain consistent whenever that particular source is reported. The 9-character limit on the Record Type 21 source field may be exceeded (to report up to 12 characters in total and maintaining identical nomenclature to the reporting on the forms).</p>
<p>49 2/27/02</p>	<p>Subject: Volume Adjustment Factor for HW2</p> <p>(Q) In section H Type 22 I think the volume adjustment factor for HW2 should be 2.5 (20ml to 50ml). 1.25 is the overall dilution due to the preparation.</p> <p>(A) The volume adjustment factor is 1.25 and does represent the overall dilution due to the preparation method.</p>
<p>50 2/27/02</p>	<p>Subject: Reporting the RSD for Tune Intensities</p> <p>(Q) B 3.4.18.2.5 %RSD for tune intensities. Nearest whole number or how many decimals?</p> <p>(A) Report to the nearest whole number.</p>
<p>51 2/27/02</p>	<p>Subject: Recording Mercury Calibration Standards</p> <p>(Q) Must mercury calibration standards, ICV, CCV, etc. appear on form 12? Must they have SAMPLE WT/VOL, prep date and time, and FINAL VOLUME entries in the type 20, 21 and 22 records of the ASF?</p> <p>(A) Prepared standards must appear on the appropriate Form XII for the preparation batch in which the standard was prepared. The appropriate information must be recorded on both the Form XII and the electronic ASF file.</p>

<p>52 2/27/02</p>	<p>Subject: Calibrating, Analyzing, and Reporting Analytes</p> <p>(Q) If a request is received for Pb, As, Se, and Tl by ICP/AES, does the laboratory have to calibrate, analyze and report all TALs and interfering compounds (approximately 14 elements total) to be compliant? Based on the above will the lab be compensated for 4 or 14 analytes?</p> <p>(A) To be compliant, the laboratory must calibrate, analyze and report all requested analytes in the analytical run and the ICSA interfering compounds. The laboratory will be compensated for four analytes, the number of analytes requested, not the number of interferences.</p>
<p>53 2/27/02</p>	<p>Subject: Requirement to Monitor ICSA Interferent Analytes</p> <p>(Q) With ICP/MS analysis, if a single element is requested (Pb for example) do all the interferences, i.e. Al, Ca, Fe, Mg, K, Mo, Na, Ti, P, C, S, and Cl, have to be calibrated, measured and reported in order to be compliant? Will the lab be compensated for 1 or 13 analytes?</p> <p>(A) Yes, all of the ICSA interferent analytes identified in Exhibit D, Section 7.2.4.4 must be monitored. They are not required to be calibrated or reported with the exception of aluminum. If aluminum is a requested target analyte, it must be calibrated and reported. The laboratory will be compensated for the number of analytes requested, in this example the laboratory would be paid for one analyte.</p>
<p>54 2/27/02</p>	<p>Subject: Interferent Analytes Must be Compliant Throughout the Run</p> <p>(Q) Typically, the interfering compounds are not analyzed directly in the ICSA and ICSAB solutions. These solutions are analyzed for the target compounds in the presence of these compounds in order to demonstrate that low level detection can be met in their presence. Do they have to be compliant throughout the run? If not, this seems to be a data defensibility issue.</p> <p>(A) Yes, interferent analytes must be compliant throughout the run.</p>

<p>55 2/27/02</p>	<p>Subject: Digesting Samples</p> <p>(Q) Section 10.1.3.1.1 States that if the turbidity reading is <1 samples will not be digested, but if over 1 samples will be digested. Can the lab digest samples which have turbidity readings less than 1, if they so desire? If not, how do we handle groups containing samples with NTU both less than and greater than 1. These will have to be analyzed as separate groups in order to produce a compliant run which doubles the labs work.</p> <p>(A) Laboratories may not digest samples which have turbidity readings less than 1. Sample delivery groups (SDGs) containing samples with NTU less than 1 and greater than 1 must be analyzed separately, as defined in the SOW.</p>
<p>56 2/27/02</p>	<p>Subject: Use of Old Sample Bottles or New Sample Bottles for Filtrates</p> <p>(Q) Page D-14 Cyanide states that the contractor will test to determine the presence of sulfides... then if present treat the whole sample. Will this require new sample containers or is it acceptable to use the old sample bottles to place the filtrate in? What size filter paper is acceptable?</p> <p>(A) The filtrate is placed in a new sample container. Whatman No. 42 filter paper or equivalent is acceptable.</p>
<p>57 2/27/02</p>	<p>Subject: Shouldn't Only one Price Apply for Mercury and Cyanide Samples for ICP/AES and ICP/MS?</p> <p>(Q) Why do mercury and cyanide have different prices for samples submitted for ICP/AES and ICP/MS? Shouldn't only one price apply for either?</p> <p>(A) The different percentages help to even out the cost of mercury and cyanide when analyzed by ICP-AES and ICP-MS which is based on total sample cost for ICP-AES and ICP-MS.</p>

There is no guidance for sample digestion of water or soil samples using the automated sample analysis procedure. The following sections outlined in Exhibit D-Part C Analytical Methods For Cold Vapor Mercury Analysis, describe the various sample preparation methods for Mercury analysis using the cold vapor technique.

Section 10. 1. 3. 2 Sample Preparation

Section 10. 1. 3. 2. 1. Preparation method/code (C W 1)

Section 10. 1. 4. 2 Sample Preparation

Section 10. 1. 4. 2. 1 Preparation Method/Code (C S 1)

Section 10.1. 5 Preparation Of Standards For Automated Cold Vapor Analysis Technique (Analysis Method AV)

Section 10. 2. 4 Analysis Of Water/ Aqueous Samples By The Automated Cold Vapor Technique (AV) Preparation Method/Code (CW2)

This preparation technique (C W 1) describes the manual cold vapor Mercury digestion procedure. (The method calls for digesting 100 ml or and aliquot diluted to 100 ml into a 300 ml B O D bottle).

There is no guidance in this method for digesting water samples for the automated cold vapor Mercury digestion procedure. The automated technique only requires 5 ml of sample.

Using the manual cold vapor Digestion procedure to analyze samples with an automated cold vapor Mercury analyzer results in wasting 95 ml of digested sample because only 5 ml of sample is required by the Auto analyzer . This also results in wasting significant amounts of reagents used in the digestion process.

Adhering strictly to the manual cold vapor digestion procedure, when analysis is perform via the automated procedure results and other problems also.

- 1. There's no provision to adjust the final volume back to 100 ml after sample digestion.*
- 2. The digestion vessel specified is a B O D bottle, which has no graduated markings on it.*
- 3. If one uses this digestion procedure along with analysis via an Auto analyzer it is imperative that the final volume after digestion be measured precisely, sense only a 5 ml aliquot of the final digested sample will be used for analysis.*

Although Section 10. 2. 4 lists preparation method (C W 2) for the automated procedure, it gives no guidance on how to perform the digestion.

We believe that the method should state, that any appropriate volume of water may be taken for digestion, as long as the reagent volumes(see manual method) used in the digestion procedure are adjusted appropriately and the method detection limit and associated QA/QC is met.

(Q) Question: Can we digest water samples using scaled down volumes of samples if reagents are scaled down appropriately.

(A) No, reduced volumes are not permitted in the SOW.

<p>58a 2/27/02</p>	<p>(Q) Can we digest water samples in Polyethylene disposable vials instead of BOD bottles? We use a "hot block".</p> <p>(A) No, the SOW specifies BOD bottles. Hot block digestion is not permitted for mercury in ILM05.2 at this time (refer to question 30, 2/8/02).</p>
<p>58b 2/27/02</p>	<p><i>Likewise, detailed guidance is provided for the soil digestion method (C S 1) using the <u>manual</u> cold vapor technique for analysis (Section 10. 1. 4. 2. 1). However, this digestion procedure is <u>not</u> appropriate when using the <u>automated</u> cold vapor analysis method .</i></p> <p><i>No guidance is provided for soil digestion using the automated procedure.</i></p> <p><i>We believe that the method should state, that <u>any</u> appropriate weight of sample may be taken for digestion as long as the reagent volumes used in the digestion procedure are adjusted appropriately (see manual method) and that the detection limit is met.</i></p> <p>(Q) Question: Can we digest soil samples using scaled down weights of samples if all reagents are scaled down appropriately?</p> <p>(A) No, reduced volumes are not permitted in the SOW.</p>
<p>58c 2/27/02</p>	<p>Question: Can we digest soil samples in Polyethylene disposable vials instead of BOD bottles? We use a "hot block".</p> <p>Response: No, reduced volumes are not permitted in the SOW. Hot block digestion is not permitted for mercury in ILM05.2 at this time (refer to question 30, 2/8/02).</p>
<p>58d 2/27/02</p>	<p><i>We have agreed in principle to purchase an auto-digester for mercury water and soils. The one that we have chosen is manufactured by Leeman Labs. It uses 5ml for water samples and 100mg for soil samples and dispenses the digestion reagents called for in the manual methods at the appropriate ratios.</i></p> <p>(Q) Is this product acceptable for CLP? I understand that you do not endorse products, I am just asking if such a machine is acceptable for digestion of water and soils for CLP Mercury analysis if it meets the QA/QC objectives of the method.</p> <p>(A) If a product uses reduced volumes or hot block digestion, then it does not meet the requirements of the SOW and would not be acceptable for CLP analysis at this time.</p> <p>If a product is capable of using the specified volumes and digestion procedures in the SOW, then it is acceptable for use in the CLP.</p>

<p>59 2/27/02</p>	<p>Subject: LCS Solutions were Shipped with PE Samples</p> <p>(Q) I just wanted to let you know that we did not receive any LCS solutions with our PE shipment. We received ICV-1, ICV-5, ICV-6, and ICSA and ICSAB solutions for ICP-AES, and ICSA and ICSAB solutions for ICP-MS. Were the labs supposed to receive LCS solutions for ICP-AES, ICP-MS, Hg, and Cn?</p> <p>(A) No LCS solutions were provided in the PES shipment. Per the SOW, for ICP-AES and ICP-MS, the ICV solutions may be used or other certified materials may be used. For mercury and cyanide the contractor may also use other USEPA QC check samples or certified materials may be used for mercury and cyanide.</p>
<p>60 2/27/02</p>	<p>Subject: Are Additional Analytes Required</p> <p>(Q) A-9, 4.2.1.3 - What are the additional analytes that will be required?</p> <p>(A) Exhibit A, Section 4.2.1.3 reference modified analyses which the Contractor may elect to perform, but is not required to perform. There are no required analytes associated with modified analyses.</p>
<p>61 2/27/02</p>	<p>Subject: Labeling Raw Data</p> <p>(Q) B-15, Table 2 - Are these numbers applied within a single analysis run? In question 28, an example is given as ICV01 or ICVam. If this is for a single run, why is it necessary to identify the ICV as ICV01? There should only be one ICV per run.</p> <p>(A) Exhibit B, Section 2.5.2.3.5 details how raw data shall be labeled, and Table 2 provides the codes for labeling data. The codes are applicable to one or multiple QC standards.</p>
<p>62 2/27/02</p>	<p>Subject: Insufficient Room for all Source Information on the Forms</p> <p>(Q) Source information only allows 12 characters on all forms. We do not have room for all source information on the forms. Can this field be expanded?</p> <p>(A) This field cannot be expanded at this time. The source may be truncated or abbreviated to fit the 12 character source field on the forms; however, it must still uniquely identify the source, and the source name utilized must remain consistent whenever that particular source is reported. The 9-character limit on the Record Type 21 source field may be exceeded (to report up to 12 characters in total, and maintaining identical nomenclature to the reporting on the forms).</p>

<p>63 2/27/02</p>	<p>Subject: Including Blanks for Mercury on the Form XII and Batch Sheets</p> <p>(Q) Prep Method for Form III is NP1 for all but Hg blanks. Does this mean blanks for Hg should be on the Form XII (Prep log) and batch sheet?</p> <p>(A) Yes, the blanks for mercury should be on the Form XII and batch sheets.</p>
<p>64 2/27/02</p>	<p>Subject: Including ICV for CN, Blanks, and ICV/CCV for Hg on the Form XII and Batch Sheets</p> <p>(Q)B-41; 3.4.16.1.1 - Form XII requests all QC prep on the form. Does this mean we will include the ICV for CN? What about blanks and ICV/CCV for Hg?</p> <p>(A) Yes, the ICV for CN, blanks, and the ICV/CCV for Hg should be on the Form XII and batch sheets.</p>
<p>65 2/27/02</p>	<p>Subject: Including SDG TR/COC Cover Sheet or Custody Seals in the Complete SDG file</p> <p>(Q)DC-2 does not have a place for either SDG TR/COC Cover Sheet or custody seals. Are these still to be included in the Complete SDG File (CSF)? If so, where do they go?</p> <p>(A)Response: The SDG cover sheet is not required on the DC-2 Form or in the CSF. The TR/COC has been moved to item 3 on the DC-2 Form. Custody seals are not required on the DC-2 Form or in the CSF.</p>
<p>66 2/27/02</p>	<p>Subject: Handling Mixed Matrix Groups</p> <p>(Q) Cyanide D-13; 9.4.3 - There is to be an ICV and mid-range standard distilled with each batch. How do we handle "mixed matrix" groups when we get a FB in with a soil group? Or a water PE in with all soils? What will be the prep method for ICV and mid-range standard? The forms do not allow us to report more than one preparation code.</p> <p>(A) Field blanks are not submitted with soil samples. However, in the event that there was a mixed matrix, then two separate forms would be completed, one for water and one for soil.</p>

<p>67 2/27/02</p>	<p>Subject: Completing Forms for Mixed Matrix Groups</p> <p>(Q) Mercury D-15, 10.2.2 also indicates that only one prep method/code can be used per run. Again, how do we handle "mixed matrix" groups?</p> <p>The SOW indicates that FBs and PEs have to be run with the samples they are grouped with (SDG). Running a FB or water PE with soil samples will cause problems with reporting for ILM05.2 because they will have a different prep method from the rest of the samples in the run and there is not place to report it.</p> <p>Does this mean we have to distill the ICV and Mid-range standard twice, even though we will put all samples on the midi-dist at the same time? Or do we now have to distill each (water and soil) separately and run each separately? There can only be one ICV per run since it is the <u>INITIAL</u> Calibration Verification and must be run as the first sample in the analytical run. If the ICV and mid-range standard are associated with a specific prep code, it is not possible to run waters and soils together. <u>Therefore FBs or water PEs cannot be run with the soil samples they were intended for.</u></p> <p>(A) Field blanks are not submitted with soil samples. However, in the event that there was a mixed matrix, then two separate forms would be completed, one for water and one for soil.</p>
<p>68 2/27/02</p>	<p>Subject: Analysis Records</p> <p>(Q) F-8; 2.5.2 - "Analysis" records should have the instrument type and parameter in the title [ICP-AES(metals)]. What are considered analysis records? Are these the instrument logs?</p> <p>(A) Exhibit F, Section 2.5.2, "When a document is a record of analysis, the instrument type shall be included in the title." Documents of record includes instrument readouts and data pertinent to the reconstruction of the analysis and results.</p>
<p>69 2/27/02</p>	<p>Subject: Resubmitting SOP's</p> <p>In question 21, it is stated that the QAP for a previous solicitation (ILM05.1) could be used for this solicitation (ILM05.2). Can SOP's submitted for ILM05.1 be used for the ILM05.2 solicitation?</p> <p>(A) No. Only the QAP from the previous solicitation may be used.</p>

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2/27/02

Subject: Minimum and Maximum Amount

(Q) The minimum amount set in the clause seems unrealistic since in Section L.15 it says that historically you spend two million a year on inorganics and there are currently seven contracts currently being utilized. That equates to better than 250,000 per year per contract. Even with a conservative estimate of 50% the \$100,000 level for a minimum contract amount would be more realistic

This would certainly fall within the requirements set forth in FAR 16.5 Indefinite Delivery Contracts particularly 16.504 (a) (2) stating that it must be more than a nominal quantity, but should not exceed the amount that the government is fairly certain to order. All that being presented - the question is will the government follow the FAR requirements and set realistic contract minimum.

(A) After reviewing our anticipated requirements for services stated in this solicitation, we have amended Section B.5 clause of the IFB, "Minimum and Maximum Amounts" to reflect the following: The minimum amount of combined orders to be placed under the contracts resulting from solicitation PR-HQ-02-10028 is \$100,000. The minimum amount of each contract will be determined by dividing \$100,000 by the number of contracts to be awarded.

71
2/27/02

Subject: Procedures for Ordering Multiple Awards for the Same Services

(Q) Section 16.504 (a) (4) (IV) of the FAR requires that for indefinite quantity contracts the solicitation must state that the procedures that the government will be using in issuing orders..... in order for awardees to have a fair opportunity to be considered in each order.

Please provide the complete description of the Performance Schedules algorithm including the weight applied to all factors in awarding orders.

(A) The factors that will be considered when scheduling samples with contractors against contract awards made under this solicitation are provided in clause G.2 of the solicitation. In addition, Clause G.2 is being amended to include the following additional information.

4. Ordering Procedure

Step 1:

- Contractors' performance data is collected for every deliverable under the contract.
- Performance data is evaluated monthly, and based upon a rolling average of the prior three months.
- Based upon the prior three months performance data, contractors are evaluated as either "good", "marginal", or "unacceptable".

Step 2:

Once a performance category is assigned, price becomes a factor, although less important than contractor performance history.

Step 3:

Based on each contractor's composite score (consisting of contractor performance history and price), contractors are ranked.

Step 4:

Samples are scheduled to be shipped to contractors, starting with the highest rated to the lowest rated.

<p>72 2/27/02</p>	<p>Subject: (72) H 3 Modified Analysis</p> <p>(Q) Please reference the FAR clauses that legally allow the agency to perform modification to a Firm Fixed Fee Bid. This should actually be a change order or outside the scope of the SOW and then there needs to be a completion bid</p> <p>(A) The referenced FAR clause is the Section I clause 52.243- CHANGES-FIXED-PRICE (1 Aug 1987) Alternate I (Apr 1984).</p>
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<p>73 2/27/02</p>	<p>Subject: Applicability Service Contract Act</p> <p>(Q) Has the contracting office contacted the Department of Labor as to the applicability of the SCA as spelled out in 22.1003-7 of the SCA. This particular type of contract does not appear to meet the intent of the SCA and certainly not all potential awards would be held to the SCA standards. There were questions posted that indicated a firm located outside the U.S. has an interest and under NAFTA they have the opportunity to place bids. This certainly could provide an unfair advantage to the firm when labor rates are not monitored or even set by the U.S. Department of Labor.</p> <p>(A) The SCA applies to all service contracts over \$2,500 that are performed in the United States through the use of service employees. <u>See</u> FAR 22.1002-1. Thus, in determining whether the SCA applies to this IFB, the contracting officer analyzed whether the contemplated contracts are going to be "service contracts," and if so, whether a significant portion of the work is going to be performed by service employees as defined in FAR 22.1001 and 52.222-41.</p> <p>FAR Part 37 sets forth guidance on service contracting. FAR 37.101 defines a "service contract" as one that "directly engages the time and effort of a contractor whose primary purpose is to perform an identifiable task rather than to furnish an end item of supply." The IFB's statement of work tasks the contractors with performing laboratory testing on environmental samples and providing results to the Agency in a standardized electronic data format. As such, the contractors will be performing identifiable tasks - namely the sample analyses - and not furnishing end items of supply to EPA. Therefore, the anticipated contracts will meet the definition of service contracts contained in FAR Part 37 and are not considered supply contracts. This conclusion is further supported by FAR 22.1003-5, which sets forth examples of types of services that have been found to be covered by the SCA.</p> <p>FAR 22.1003-5(m) lists "data collection, processing, and analytical services" as SCA-covered services. Analytical services - i.e., environmental sample analysis - is precisely what the contractors will be tasked with under these contracts. Accordingly, the contracting officer properly classified the IFB as one that will result in service contracts with the Agency.</p>
<p>74 2/27/02</p>	<p>Subject: Fair Labor Standard Act</p> <p>(Q) Is it the government's intent to adjust the price based upon changes in the prevailing wage in the different labor areas per FAR 52.222-43 for the optional years?</p> <p>(A) Yes, when the adjustment meets the necessary criteria as outlined in clause 52.222-43.</p>

<p>75 2/27/02</p>	<p>Subject: Quality Assurance Management Plan</p> <p>(Q) The government intends to accept the previous submission of QA plans provided no changes were made. Using that rational and the precedent that when a previous solicitation was canceled due to government error , the contractors were not required to analyze a second P.E. provided the initial P.E results were acceptable. Will the government accept prior PE score that were successful for ILM05.1? In addition to the unnecessary cost to the contractors the government will be incurring costs for providing and evaluating essentially duplicate information since there were no substantive changes in the SOW.</p> <p>(A) Prior PE scores from cancelled IFB PR-HQ-01-14093 will not be accepted. Reference question number (1) dated 02/01/02</p>
<p>76 2/27/02</p>	<p>Subject: Procedures that the Government will use in Issuing Orders</p> <p>(Q) We need to know the PSA formula for us to bid competitively. Are you going to disclose that are not? FAR clause cited by the agency clearly states that the government has to disclose this formula in order to have fair competition among bidders. If you cannot disclose this in its entirety please let us know where the agency derives the authority from-- i.e. the federal statute reference that gives you the ability to do this.</p> <p>(A) FAR 16.504(a)(4)(iv) states that, when multiple awards are made, the procedures and selection criteria that the Government will use to provide awardees a fair opportunity to be considered for each order must be stated. Reference question number #71. The FAR does not compel the Government to disclose the PSA formula.</p>
<p>77 2/27/02</p>	<p>Subject: Considering Price or Cost Under Each Order</p> <p>(Q) Does the usage of price in your secret formula not a further discrimination of bidders after award when they have been selected as valid bidders at the time of bidding?</p> <p>(A) FAR 16.505 (b)(1)(ii)(E) states that the contracting officer must consider price or cost under each order as one of the factors in the selection decision.</p>